

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ANOVORX HOLDINGS, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:22-cv-02557-atc
)	
AGILETHOUGHT, INC.,)	
)	
Defendant.)	

ORDER LIFTING STAY AND DISMISSING CASE

Before the Court is the parties’ Stipulation of Dismissal with Prejudice, filed on February 14, 2024. (ECF No. 78.) The parties stipulate to the dismissal of this case with prejudice, with each party to bear its own costs and attorneys’ fees.

On October 11 and 12, 2023, Defendant AgileThought, Inc. filed a Notice of Bankruptcy (ECF No. 75) and an Amended Notice of Bankruptcy (ECF No. 76) stating that AgileThought had filed a Chapter 11 petition for bankruptcy in the United States Bankruptcy Court for the District of Delaware. As such, by operation of 11 U.S.C. § 362, this case was stayed pending termination of the bankruptcy proceedings or the lifting of the automatic stay. (ECF No. 77.)

On February 16, 2024, the parties submitted a Joint Status Report (ECF No. 80) concerning the status of the Delaware bankruptcy proceedings. The Bankruptcy Court entered an Order Approving Stipulation Regarding AnovoRx Settlement on December 21, 2023. (ECF No. 80-1.) That stipulated Order provides “relief from the automatic stay imposed by section 362 of the Bankruptcy Code (the ‘Automatic Stay’), to the extent necessary to effectuate the relief herein and in the Settlement Agreement (as modified by this Stipulation).” (*Id.* at 4.)

Specifically, the Order provides that “the Automatic Stay is hereby modified to permit the Parties to effectuate the transactions and/or actions contemplated by the Settlement Agreement (as modified by this Stipulation), and this Stipulation, including but not limited to Anovo filing a notice of dismissal with prejudice of the Anovo Action, no later than five (5) calendar days after the Effective Date.” (*Id.* at 5–6.) Based on the stipulated Order from the Bankruptcy Court and the parties’ representation that they have “completed all transactions contemplated under the Bankruptcy Order and the parties’ Settlement Agreement” (ECF No. 80, at 2), the Court lifts the stay in this case for purposes of entry of this Order of Dismissal and Judgment.

Accordingly, pursuant to the Stipulation of Dismissal and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all claims and counterclaims alleged in this case are hereby DISMISSED WITH PREJUDICE.

SO ORDERED this 16th day of February, 2024.

s/Annie T. Christoff
ANNIE T. CHRISTOFF
UNITED STATES MAGISTRATE JUDGE